

107TH CONGRESS
1ST SESSION

H. R. 1271

To assist the internal opposition in Cuba, and to further help the Cuban people to regain their freedom.

IN THE HOUSE OF REPRESENTATIVES

MARCH 28, 2001

Mr. DIAZ-BALART (for himself, Mr. MENENDEZ, Ms. ROS-LEHTINEN, Mr. ANDREWS, Mr. BACHUS, Mr. BARTLETT of Maryland, Mr. BILIRAKIS, Mr. BLUNT, Mr. BOEHNER, Mr. BONILLA, Mr. BRYANT, Mr. BURTON of Indiana, Mr. CANNON, Mr. CHABOT, Mr. COOKSEY, Mr. COX, Mr. CRENSHAW, Mr. CROWLEY, Mr. CUNNINGHAM, Mr. DAVIS of Illinois, Mr. DELAY, Mr. DEUTSCH, Mr. DOOLITTLE, Mr. DREIER, Mr. DUNCAN, Mr. ENGEL, Mr. FOLEY, Mr. FOSSELLA, Mr. FRELINGHUYSEN, Mr. GANSKE, Mr. GILMAN, Mr. GOSS, Mr. GRAHAM, Mr. GUTIERREZ, Mr. GUTKNECHT, Mr. HANSEN, Mr. HASTINGS of Washington, Mr. HAYES, Mr. HORN, Mr. HUNTER, Mr. HUTCHINSON, Mr. JENKINS, Mr. JONES of North Carolina, Mr. KELLER, Mr. KENNEDY of Rhode Island, Mr. KERNS, Mr. KING, Mr. KINGSTON, Mr. KIRK, Mr. LANTOS, Mr. LINDER, Mr. LUCAS of Oklahoma, Mr. MANZULLO, Mr. MCINNIS, Mr. McKEON, Mrs. MEEK of Florida, Mr. MILLER of Florida, Mrs. MYRICK, Mr. NEY, Mr. PALLONE, Mr. PASCRELL, Mr. PENCE, Mr. PETERSON of Minnesota, Mr. POMBO, Ms. PRYCE of Ohio, Mr. PUTNAM, Mr. REYNOLDS, Mr. ROHRBACHER, Mr. SCARBOROUGH, Mr. SCHROCK, Mr. SESSIONS, Mr. SHADEGG, Mr. SHAW, Mr. SHERMAN, Mr. SMITH of New Jersey, Mr. SOUDER, Mr. STEARNS, Mr. SWEENEY, Mr. TANCREDO, Mr. TRAFICANT, Mr. WATTS of Oklahoma, Mr. WELDON of Florida, Mr. WEXLER, Mr. WHITFIELD, Mr. WICKER, and Mr. WOLF) introduced the following bill; which was referred to the Committee on International Relations

A BILL

To assist the internal opposition in Cuba, and to further help the Cuban people to regain their freedom.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Cuban Internal Oppo-
5 sition Assistance Act of 2001”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) United States law permits and facilitates
9 donations of food, medicine, medical supplies and
10 equipment, clothing, building materials, and other
11 humanitarian assistance to Cuba (31 C.F.R. 515).

12 (2) Since 1992, approximately \$3,000,000,000
13 in humanitarian assistance from the United States,
14 including food, medicine, and clothing has been au-
15 thorized for donation to Cuba (Department of Com-
16 merce, Bureau of Export Administration statistics,
17 10–23–92 through 7–31–97).

18 (3) The United States is the world’s largest
19 source of private humanitarian donations to Cuba
20 (Department of State report “The U.S. Embargo
21 and Health Care in Cuba”, August 5, 1997).

22 (4) There are a large number of Cubans who
23 are the victims of the most extreme political repres-
24 sion, specifically those surviving immediate relatives
25 of Cubans who were assassinated by the Castro re-

1 gime, political prisoners and their immediate rel-
2 atives, former political prisoners and their immediate
3 relatives, and activists of the internal opposition and
4 their immediate relatives.

5 (5) Thousands of people have been assassinated
6 by the Castro dictatorship during the last 42 years;

7 (6) There are hundreds of thousands of former
8 political prisoners in Cuba.

9 (7) These victims of the most extreme political
10 repression are the victims of the most brutal actions
11 and are systematically denied access to humani-
12 tarian and all other forms of assistance by the
13 Cuban dictatorship.

14 (8) Castro has destroyed what was in 1959
15 Latin America's most developed society and economy
16 (Department of State report "Zenith and Eclipse: A
17 Comparative Look at Socioeconomic Conditions in
18 Pre-Castro and Present-Day Cuba", February 9,
19 1998).

20 (9) For example, data from that State Depart-
21 ment report shows that, during the years of Castro's
22 dictatorship—

23 (A) Cuba, once ranked third in the hemi-
24 sphere in rice production, is now the only coun-

1 try in the hemisphere whose production of rice
2 and yield per acre has fallen since 1958;

3 (B) Cuba's electricity production has fallen
4 and the rate of growth of electrical production
5 ranks 19th of 20 nations in the region (just
6 ahead of Haiti);

7 (C) Cuba ranks last in the hemisphere in
8 export growth, while Mexican exports, equiva-
9 lent to Cuba's in 1958, have increased 130
10 times since that time;

11 (D) Cuba, ranked third in the hemisphere
12 in 1958 in gold and foreign exchange reserves,
13 is now dead last;

14 (E) Cuba, which in 1957 had more tele-
15 vision stations (23) than any other nation in
16 Latin America, ranked 8th in the world in the
17 number of radio stations (160), and first in the
18 world in the number of daily newspapers (58)
19 for a country of its size, now ranks last in the
20 hemisphere in all these categories;

21 (F) Cuba is the only nation in the hemi-
22 sphere whose number of automobiles per capita
23 has fallen since 1958; and

24 (G) Cuba's infant mortality rate in 1957
25 was the lowest in Latin America and one of the

1 lowest in the world, lower than 4 of today's "G-
2 7" nations.

3 (10) The internal opposition movement
4 throughout Cuba, despite its very limited resources,
5 is working intensely to draw international attention
6 to Cuba's deplorable human rights situation and
7 continues to strengthen and grow in its opposition to
8 the Castro dictatorship.

9 (11) The Cuban Liberty and Democratic Soli-
10 darity Act of 1996 authorized the President to sup-
11 port pro-democracy forces within Cuba and to fur-
12 nish assistance to victims of political repression.

13 (12) The intent of the Cuban Liberty and
14 Democratic Solidarity Act of 1996 to assist the in-
15 ternal opposition inside Cuba has been insufficiently
16 complied with.

17 (13) Requests for licenses to provide assistance
18 to the internal opposition in Cuba have not been
19 granted.

20 (14) January 1, 2001, marked the 42nd anni-
21 versary of the absolute power of the totalitarian re-
22 gime that oppresses the Cuban people.

23 (15) The Cuban dictatorship's prisons are kept
24 full of political prisoners and prisoners of conscience,
25 of men and women of all ages and all races, evidenc-

1 ing the rejection by the Cuban people of the brutal
2 regime that oppresses them.

3 (16) The internal opposition is in great need of
4 assistance to continue increasing its efforts to offer
5 the Cuban people a democratic alternative to the
6 current dictatorship.

7 (17) The internal opposition in Cuba is made
8 up of valiant pro-democracy activists who have taken
9 and continue to take grave risks to their personal
10 safety and to their families in order to advance the
11 cause of freedom in Cuba;

12 (18) It is necessary for the United States to
13 take serious steps to assist the Cuban internal oppo-
14 sition.

15 **SEC. 3. PURPOSES.**

16 The purposes of this Act are—

17 (1) to take advantage of the historic oppor-
18 tunity created by the increasing efforts and accom-
19 plishments of courageous independent nongovern-
20 mental opposition organizations in Cuba to achieve
21 freedom for the Cuban people and to assist the
22 Cuban people to secure the blessings of liberty;

23 (2) to provide democracy assistance to the vic-
24 tims of the most extreme political repression of the
25 Castro dictatorship, specifically the surviving imme-

1 diate relatives of those assassinated, political pris-
2 oners, former political prisoners, military and former
3 military personnel imprisoned for political reasons,
4 internal opposition activists, and their immediate rel-
5 atives; and

6 (3) to strengthen independent nongovernmental
7 opposition organizations in Cuba committed to the
8 liberation of the Cuban people.

9 **SEC. 4. DEFINITIONS.**

10 In this Act:

11 (1) INDEPENDENT NONGOVERNMENTAL OPPO-
12 SITION ORGANIZATION.—The term “independent
13 nongovernmental opposition organization” means a
14 nongovernmental organization inside Cuba that has
15 demonstrated that it is not an agency or instrumen-
16 tality of the Cuban Government, as certified annu-
17 ally by the President, and has publicly or actively
18 made known its opposition to the Cuban Govern-
19 ment. Evidence of opposition to be taken into ac-
20 count shall include membership in independent non-
21 governmental opposition organizations of political
22 prisoners and former political prisoners.

23 (2) INDEPENDENT NONGOVERNMENTAL ORGA-
24 NIZATION.—The term “independent nongovern-
25 mental organization” means a nongovernmental or-

1 ganization that is not an agency or instrumentality
2 of the Cuban Government, nor is controlled by or
3 supportive of the Cuban Government, as certified
4 annually by the President, to facilitate democracy
5 assistance to the victims of the most extreme polit-
6 ical repression in Cuba.

7 (3) DEMOCRACY ASSISTANCE.—The term “democ-
8 racy assistance” means communications equipment,
9 printing presses, photocopiers, fax machines, pens,
10 paper and other pro-democracy assistance for inde-
11 pendent nongovernmental opposition organizations
12 and the victims of the most extreme political repres-
13 sion, as well as humanitarian assistance currently
14 authorized by section 109 of the Cuban Liberty and
15 Democratic Solidarity Act of 1996.

16 (4) VICTIMS OF THE MOST EXTREME POLITICAL
17 REPRESSION.—The term “victims of the most ex-
18 treme political repression” means any Cuban na-
19 tional in Cuba who is—

20 (A) a political prisoner or an immediate
21 relative of one;

22 (B) a former political prisoner or an imme-
23 diate relative of one;

1 (C) a member or former member of the
2 military imprisoned for political reasons or an
3 immediate relative of one; or

4 (D) an individual active within an inde-
5 pendent nongovernmental opposition organiza-
6 tion or an immediate relative of one, or an im-
7 mediate relative of a Cuban assassinated by the
8 Castro regime.

9 (5) IMMEDIATE RELATIVE.—The term “imme-
10 diate relative” means the children, spouses, and par-
11 ents of the most extreme victims of political repres-
12 sion.

13 **SEC. 5. SUPPORT FOR THE VICTIMS OF THE MOST EX-**
14 **TREME POLITICAL REPRESSION AND INDE-**
15 **PENDENT NONGOVERNMENTAL OPPOSITION**
16 **ORGANIZATIONS.**

17 (a) AVAILABILITY OF FUNDS AND REQUIREMENTS.—

18 (1) IN GENERAL.—Of the amounts made avail-
19 able under section 109(a) of the Cuban Liberty and
20 Democratic Solidarity Act of 1996 (22 U.S.C. 6030
21 (a)) or other laws for any fiscal year, the President
22 shall use funds to carry out activities to assist the
23 victims of the most extreme political repression and
24 to assist independent nongovernmental opposition
25 organizations inside Cuba.

1 (b) VERIFICATION OF ASSISTANCE DISTRIBUTION.—

2 To assure that distribution of assistance is in compliance
3 with the intent of this Act, the President shall ensure such
4 assistance will be delivered only to the victims of the most
5 extreme political repression and to independent non-
6 governmental opposition organizations.

7 (c) REMITTANCES TO INDEPENDENT NONGOVERN-
8 MENTAL OPPOSITION ORGANIZATIONS.—The President
9 shall authorize the issuance of licenses to independent
10 nongovernmental organizations to send monetary remit-
11 tances to independent nongovernmental opposition organi-
12 zations for the purposes of carrying out activities specified
13 in section 109 of the Cuban Liberty and Democratic Soli-
14 darity Act of 1996.

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